

CHAPTER 7
COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND AND TRAINING PROGRAM

801—7.1(35A,35B) County commissions of veteran affairs fund.

7.1(1) Purpose. Annual funding is dependent on an appropriation from the General Assembly to the Iowa Department of Veterans Affairs. The purpose and legislative intent of the county commissions of veterans affairs fund is to assist county commissions of veteran affairs in complying with legislative requirements for employing a county veteran service officer who: Maintains national accreditation through the National Association of County Veterans Service Officers (NACVSO); maintains an active Personal Identification Verification (PIV) card necessary to access the Veterans Administration's Veterans Benefit Management System; is occupied in veterans affairs service pursuant to Iowa Code Section 35B.6 for a minimum number of hours; and maintains an office in a location owned or leased by the county. Beginning July 1, 2024 an additional \$300,000 is transferred annually from the moneys received for the Iowa Veterans Trust Fund from the Iowa Lottery pursuant to Iowa Code section 35A.16(4) and 99G.39. The additional \$300,000 is allocated to the county commission of veteran affairs training program account within the county commissions of veteran affairs fund for the specific purpose of funding national training and related expenses for county veteran service officers and appropriate staff. Moneys remaining in the county commissions of veteran affairs fund after the allocations have been distributed to the counties shall be used by the department to provide for a county commission of veteran affairs training program as outlined in rule 801—7.2(35A,35B).

7.1(2) Allocation amounts.

a. If sufficient moneys are available, the department shall annually allocate \$10,000 to each county commission of veteran affairs, or to each county sharing the services of a county veteran service officer pursuant to Chapter 28E, to be used to maintain veteran service officer qualifications and certifications, access to United States Department of Veteran Affairs systems, and to provide services to veterans pursuant to Iowa Code section 35B.6. In order to qualify for the allocation, a county must expend the allocation pursuant to and be in compliance with Iowa Code Section 35B.6 and must also maintain its current level of spending from the previous fiscal year.

b. In accordance with Iowa Code Section 35A.16(4), for the fiscal year beginning July 1, 2024, and for each subsequent fiscal year, the department shall annually allocate \$3,000 from the county commission of veteran affairs training program account within the county commissions of veteran affairs fund to each county commission of veteran affairs, or to each county sharing the services of a county veteran service officer pursuant to Chapter 28E, to be used for national training and related expenses of county veteran service officers and appropriate staff. Counties shall request reimbursement from the department with required supporting documentation for eligible expenses during the fiscal year up to the \$3,000 annual allocation within 30 days of training completion, but no later than June 30 of each fiscal year.

7.1(3) Allocation report. Counties shall submit a written report to the department 30 days following the end of the fiscal year in which the allocation was received. The report shall include:

a. An assessment of county veteran affairs services, including county population, verification of an office, hours of employment, and number of hours of Veterans' services provided by the county veteran service officer.

b. Documentation that the county veteran service officer is performing required duties and maintaining qualifications and credentials pursuant to Iowa Code section 35B.6.

c. The allocation report shall also contain a final report on county veteran affairs expenditures for the fiscal year in which the allocation was received and the expenditure report from the previous fiscal year. Information provided in this report shall be used by the department to comply with rule 801—7.3(35A,35B).

7.1(4) Recovery of funds. The department shall be the entity charged with the recovery of county commissions of veteran affairs fund allocations from counties under the following circumstances:

a. Unauthorized use. Counties expending a portion of the allocation on items that do not provide services to veterans pursuant to Iowa Code section 35B.6 will be required to return the unauthorized funds to the state of Iowa.

b. Maintenance of effort. Counties not maintaining their previous fiscal year's spending levels will be considered to have supplanted county funding with state allocation funds. Counties not complying with their maintenance of effort will be required to return the supplanted portion to the state of Iowa pursuant to Iowa Code section 35A.16(3)

c. Noncompliance. Counties that are not in compliance with the requirements of Iowa Code section 35B.6 on June 30 of each fiscal year will be required to return all moneys received during that fiscal year to the county commissions of veteran affairs fund pursuant to Iowa Code section 35A.16(3). Counties that are deemed noncompliant due to the termination or resignation of an employee shall not be required to return the state allocation if an employee is hired within two months of the previous employee's separation.

7.1(5) Appeals. Applicants that are dissatisfied with a decision may file an appeal with the Commandant. The written appeal must be received within 15 working days of the date of the notice of decision; must be based on a contention that the process was conducted outside of statutory authority, violated state or federal law, policy or rules, or involved conflicts of interest by staff. The Commandant shall review the appeal and issue a final decision.

801—7.2(35A,35B) County commission of veteran affairs training program. The department shall provide training for county veteran service officers in accordance with Iowa Code section 35A.5(6).

7.2(1) Training provided by the department may meet the continuing education requirements as established by NACVSO and shall ensure that each veteran service officer and support staff are proficient in the use of electronic mail, computers, and the Internet in order to access information regarding facilities, benefits, and services available to veterans and their families.

7.2(2) County veteran service officers shall do the following within one year of appointment or will be subject to removal from office as provided for in Iowa Code section 35B.6(c):

a. Obtain and maintain all certifications that are federally required and provide documentation to the department.

b. Obtain and maintain national accreditation through instruction provided by the department or a national school of accreditation provided or recognized by NACVSO and any other training required by the Commandant. Upon completion, a certificate of satisfactory completion shall be provided to the department for certification and issuance of an Iowa certificate of training.

c. Obtain and maintain a Personal Identification Verification (PIV) card from the United States Department of Veteran Affairs as well as access to the Veterans Benefits Management System and provide the department with documentation. Upon request from a county commission of veterans affairs and based on extenuating circumstances, the Commandant may extend the time frame for a veteran service officer to obtain a PIV card prior to being subject to removal from office. The decision of the Commandant is final.

d. Counties shall submit to the Department annually by July 30 all documentation required by this section.

7.2(3) County veteran service officers shall maintain the following on an annual basis or will be subject to removal from office as provided for in Iowa Code section 35B.6(c):

a. Maintain all certifications that are federally required and annually provide documentation to the department.

b. Maintain national accreditation through continuing education instruction provided by the department or a national school of accreditation provided or recognized by NACVSO and any other training required by the Commandant. Attendance at training courses conducted by veterans organizations other than the department or

NACVSO may be substituted for the annual school of instruction if the training meets NACVSO accreditation continuing education requirements. Upon completion, a certificate of satisfactory completion shall be provided to the department for certification and issuance of an Iowa certificate of training.

c. Maintain a Personal Identification Verification (PIV) card from the United States Department of Veteran Affairs as well as access to the Veterans Benefits Management System and provide the department with documentation.

d. Counties shall submit to the Department annually by July 30 all documentation required by this section.

7.2(4) County veteran service officers who fail to comply with 7.2(2) and 7.2(3) shall be removed from their position. Knowing violation of this provision constitutes noncompliance as provided in paragraph 7.1(4)“c,” and individuals who knowingly fail to comply may be charged with a serious misdemeanor for nonfelonious misconduct in office as provided by Iowa Code section 721.2(6).

7.2(5) The annual school of instruction and all associated training materials will be provided at the expense of the department and attendees will not be charged for participation in the training.

7.2(6) Travel, meals, lodging, and miscellaneous expenses incurred while attending the annual school of instruction required by 7.2(2) and 7.2(3), shall be the responsibility of the respective county.

7.2(7) Any cost of initial training, accreditation, and continuing training which uses state funds shall follow the department’s travel policy. The department’s travel policy overrides county-specific travel policies.

7.2(8) The department shall maintain documentation regarding any school of instruction required by 7.2(2) and 7.2(3) including, but not limited to: agendas, presentation dates, attendees, certificate of satisfactory completion of accreditation or continuing education training, and the issuance of certificates of training.

7.2(9) Inquiries regarding an annual school of instruction shall be directed to the Commandant.

7.2(10) Disputes regarding the annual school of instruction, certificates of training, and related matters shall be reviewed by the Commandant, who will render a decision within 10 days of receipt of all relevant facts and supporting materials. The decision of the Commandant shall be final.

801—7.3(35A,35B) Report to the general assembly.

7.3(1) Report. Annually by August 31, under the provisions of 35A.5(14) the department shall prepare and submit a report to the Governor and general assembly relating to county commissions of veteran affairs. Copies of the report shall also be provided to each county board of supervisors and to each county commission of veteran affairs by electronic means. Pursuant to Iowa Code section 35B.11, the department may request any information necessary to prepare the report from each county commission of veteran affairs. The report shall include all of the following:

a. Information related to compliance with the training requirements under section 35B.6 during the previous fiscal year.

b. The weekly operating schedule of each county commission of veteran affairs office maintained under Iowa Code section 35B.6.

c. The number of hours of veterans' services provided by county commission of veteran affairs executive director or administrator during the previous fiscal year.

d. Population of each county, including the number of veterans residing in each county.

e. The total amount of compensation, disability benefits, or pensions received by the residents of each county under laws administered by the United States Department of Veterans Affairs.

f. An analysis of the information contained in above paragraphs “a” through “e”, including an analysis of such information for previous years.

7.3(2) County veteran affairs office assistance. Each county commission of veteran affairs shall provide information required in paragraphs 7.3(1)“a” through “c” to enable the department to complete the report. The county executive director or administrator will be provided with a form to return to the department by July 30 of each year.